

B<sup>2</sup> 6. (Once Amended) The method of claim 5, wherein each logical partition includes a local license manager.

10. (Once Amended) An apparatus, comprising:

- (a) a logically partitioned computer including a plurality of logical partitions;
- (b) a plurality of operating systems, each resident in a different logical partition among the plurality of logical partitions; and
- (c) a first program resident in the computer, the first program configured to manage a concurrent use software license for a second program in the computer by tracking concurrent uses of the second program across the plurality of logical partitions, and selectively denying a request to use the second program in a first logical partition if permitting the requested use would violate the concurrent use software license, wherein the first program includes:.

B<sup>3</sup> (i) a partition manager accessible by the plurality of logical partitions and configured to track the concurrent uses of the second program across the plurality of logical partitions; and

(ii) a license manager resident in the first logical partition and configured to access the partition manager in response to the request to use the second program in the first logical partition.

12. (Once Amended) The apparatus of claim 10, wherein the partition manager is configured to track concurrent uses of the second program by maintaining a global count of the number of concurrent uses of the second program across the plurality of logical partitions.

18. (Once Amended) An apparatus, comprising:

- (a) a plurality of logical partitions;
- (b) a plurality of operating systems, each resident in a different logical partition among the plurality of logical partitions;
- (c) a partition manager configured to track concurrent uses of a computer program across the plurality of logical partitions; and

(d) a plurality of license managers, each license manager resident in an associated logical partition among the plurality of logical partitions, and each license manager configured to access the partition manager responsive to a request to use the computer program in the associated logical partition.

19. (Once Amended) A program product, comprising:

(a) a first program configured to manage a concurrent use software license for a second program in a logically-partitioned computer of the type including a plurality of logical partitions, with each logical partition including an operating system resident therein, the first program including a partition manager accessible by the plurality of logical partitions and configured to track concurrent uses of the second program across the plurality of logical partitions in the logically-partitioned computer, and a license manager, resident in a first logical partition among the plurality of logical partitions and configured to access the partition manager in response to a request to use the second computer program in the first logical partition and selectively deny the request if permitting the requested use would violate the concurrent use software license; and

(b) a signal bearing medium bearing the first program.

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### REMARKS

This paper is submitted in reply to the Office Action dated September 26, 2002, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,201,438 to Duvvoori et al. Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained.

Applicants have canceled claims 2 and 11 without prejudice and amended claims 1, 6, 10, 12 and 18-19. Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed. Attached hereto is a copy of the currently pending claims including a marked-up